

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 20, 2013

Elisabeth A. Shumaker
Clerk of Court

In re:

DONALD RAY COWAN,

Petitioner.

No. 13-5011
(D.C. No. 4:10-CV-00256-GKF-TLW)
(N.D. Okla.)

ORDER

Before **BRISCOE**, Chief Judge, **HARTZ** and **MATHESON**, Circuit Judges.

Donald Ray Cowan filed a petition for writ of mandamus seeking an order from this court directing the Honorable Chief Judge Gregory K. Frizzell of the United States District Court for the Northern District of Oklahoma to rule on his pending 28 U.S.C. § 2254 habeas petition in civil case No. 10-CV-00256-GKF-TLW. On February 7, 2013, we entered an order inviting the district court to respond to the mandamus petition. On February 19, the district court entered an order denying Mr. Cowan's § 2254 habeas petition. Mr. Cowan has now received the relief he sought in his mandamus petition. Accordingly, we dismiss as moot his petition for writ of mandamus.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk